

Attorney Docket No. 03696/LH

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**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Applicant(s) : Kiyoshi YURI
Serial No. : 10/723,573
Confirm. No. : 9922
Filed : November 24, 2003
For : MICROSCOPIC IMAGE CAPTURE
APPARATUS
Art Unit : 2621
Examiner : DAVID J. CZEKAJ

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not already paid, authorization to charge the extension fee to Account No. 06-1378. In addition, authorization is hereby given to charge any fees for which payment has not been submitted, or to credit any overpayments, to Account No. 06-1378.

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97(c) WITH STATEMENT
UNDER 37 CFR 1.97(e) (1)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R:

Submitted herewith are the following:

- (1) Copy of a Japanese Office Action dated February 2, 2010 (and English translation thereof) in counterpart Japanese Application No. 2003-394435;
- (2) Copy of the cited foreign document; and
- (3) IDS Form.

An English translation of said Japanese Office Action is provided, thereby satisfying the requirements for a concise explanation of relevance for any non-English language documents cited therein (MPEP 609.04 (a) III).

JP 2001-091846 and JP 2000-295462, which were cited in said Japanese Office Action, were cited in the present application in the IDS filed November 24, 2003.

STATEMENT UNDER 37 CFR 1.97(e)(1)

Each item of information contained in this Information Disclosure Statement was first cited in any communication from foreign patent offices in counterpart foreign applications not more than three months prior to the filing of the present Information Disclosure Statement. Said Communication bears a mailing date of February 2, 2010. Therefore, the filing of this Information Disclosure Statement is timely under the provisions of 37 CFR 1.97(b).

It is requested that an initialed copy of the IDS Form be returned to indicate that the documents listed therein have been considered and made of record.

Respectfully submitted,


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